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*Attorneys for Defendants Diamondback Shooting Sports, Inc.,
Loan Prairie, LLC d/b/a The Hub, SNG Tactical, LLC and Sprague's Sports, Inc.*

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Estados Unidos Mexicanos,

Plaintiff,

vs.

Diamondback Shooting Sports, Inc., an
Arizona corporation; SNG Tactical, LLC,
an Arizona limited liability company;
Loan Prairie, LLC D/B/A The Hub, an
Arizona limited liability company; Ammo
A-Z, LLC, an Arizona limited liability
company; Sprague's Sports, Inc., an
Arizona corporation,

Defendants.

Judge Cindy K. Jorgenson

Case No: 4:22-cv-00472-CKJ

**SNG TACTICAL, LLC ANSWER
AND AFFIRMATIVE DEFENSES TO
PLAINTIFF'S COMPLAINT**

JURY TRIAL DEMANDED

Defendant SnG Tactical, LLC, ("SnG") by and through its attorneys, Renzulli Law Firm, LLP

1 and Lorber, Greenfield & Olsen, LLP, respectfully submits its Answer to Plaintiff's Complaint as
2 follows:

3 I. INTRODUCTION

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5 1. SnG denies the allegations in Paragraph 1 of the Complaint, except admits that it is a
6 Federal Firearms Licensee located in the State of Arizona. To the extent the allegations in Paragraph 1
7 of the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
8 form a belief about the truth of such allegations, and refers all questions of law to this Honorable Court.

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10 2. SnG denies the allegations in Paragraph 2 of the Complaint. To the extent the allegations in
11 Paragraph 2 of the Complaint are directed to other defendants, SnG denies knowledge or information
12 sufficient to form a belief about the truth of such allegations, so same are denied.

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14 3. SnG denies knowledge or information sufficient to form a belief about the truth of the
15 actions of the United States or persons unaffiliated with SnG in Paragraph 3 of the Complaint, so same are
16 denied, but SnG specifically denies any allegation in Paragraph 3 of the Complaint that SnG had actual or
17 constructive knowledge of any alleged illegally activity taking place in its premises.

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19 4. SnG states that the allegations in Paragraph 4 of the Complaint are directed to other
20 defendants, and as such, no response is required. To the extent that a response is required, it denies
21 knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 4 of the
22 Complaint, and refers all questions of law to this Honorable Court.

23
24 5. SnG denies the allegations in Paragraph 5 of the Complaint. To the extent the allegations in
25 Paragraph 5 of the Complaint are directed to other defendants, SnG denies knowledge or information
26 sufficient to form a belief about the truth of such allegations so same are denied.

27
28 6. SnG denies the allegations in Paragraph 6 of the Complaint. To the extent the allegations in
Paragraph 6 of the Complaint are directed to other defendants, SnG denies knowledge or information
sufficient to form a belief about the truth of such allegations. To the extent the allegations in Paragraph 6 of

1 the Complaint relate to Plaintiff's purported motivation in bringing this lawsuit, SnG denies knowledge or
2 information sufficient to form a belief. Defendant refers all questions of law to this Honorable Court.

3 7. SnG denies the allegations in Paragraph 7 of the Complaint and refers all questions of law to
4 this Honorable Court.

5 8. SnG states that the allegations in Paragraph 8 of the Complaint are not directed to any
6 defendant, and as such, no response is required. To the extent that a response is required, it denies
7 knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 8 of the
8 Complaint.

9 9. SnG denies the allegations in Paragraph 9 of the Complaint. To the extent the allegations in
10 Paragraph 9 of the Complaint are directed to other defendants, SnG denies knowledge or information
11 sufficient to form a belief about the truth of such allegations, so same are denied.

12 10. SnG denies the allegations in Paragraph 10 of the Complaint. To the extent the allegations in
13 Paragraph 10 of the Complaint are directed to other defendants, SnG denies knowledge or information
14 sufficient to form a belief about the truth of such allegations, so same are denied. To the extent the
15 allegations in Paragraph 10 relate to information outside the knowledge of any defendant, SnG denies
16 knowledge or information sufficient to form a belief.

17 11. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50) and the choice of law analysis
18 contained therein, Mexican law does not apply. Notwithstanding, SnG denies the allegations in Paragraph
19 11 of the Complaint to the extent they relate to purported violations of U.S. federal and state statutes, and
20 refers all questions of law to this Honorable Court. To the extent the allegations in Paragraph 11 of the
21 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to form a belief
22 about the truth of such allegations, so same are denied.

23 12. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
24 (Counts Nine through Thirteen of the Complaint) and Arizona Consumer Fraud Act claim (Count Seven of
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1 the Complaint) were dismissed, and as such, no response to such allegations or claims is required.
2 Notwithstanding, SnG denies the factual allegations in Paragraph 12 of the Complaint, and refers all
3 questions of law to this Honorable Court. To the extent the allegations in Paragraph 12 of the Complaint are
4 directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the
5 truth of such allegations, so same are denied.
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7 13. Paragraphs 13 of the Complaint solely outlines a request for relief, to which a response is
8 not required. To the extent that a response is required, SnG denies the allegations in Paragraph 13 of the
9 Complaint, notes that the U.S. Government already monitors defendants' firearms sales practices through
10 the Department of Justice's Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), and refers all
11 questions of law to this Honorable Court.
12

13 II. PARTIES

14 14. SnG admits that Plaintiff is a sovereign nation that shares a border with the United States.
15 The remaining allegations in Paragraph 14 of the Complaint call for legal conclusions to which no response
16 is required. To the extent that a response is required, SnG denies the allegations in Paragraph 14 of the
17 Complaint, and refers all questions of law to this Honorable Court.
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19 15. SnG states that the allegations in Paragraph 15 of the Complaint are directed to another
20 defendant. To the extent that a response is required, it denies knowledge or information sufficient to form a
21 belief about the truth of the allegations in Paragraph 15 of the Complaint, and refers all questions of law to
22 this Honorable Court.

23 16. SnG denies the allegations in Paragraph 16 of the Complaint, except admits that it is a
24 corporation organized and existing under the laws of the State of Arizona.

25 17. SnG states that the allegations in Paragraph 17 of the Complaint are directed to another
26 defendant. To the extent that a response is required, it denies knowledge or information sufficient to form a
27 belief about the truth of the allegations in Paragraph 17 of the Complaint, and refers all questions of law to
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1 this Honorable Court.

2 18. SnG states that the allegations in Paragraph 18 of the Complaint are directed to another
3 defendant. To the extent that a response is required, it denies knowledge or information sufficient to form a
4 belief about the truth of the allegations in Paragraph 18 of the Complaint, and refers all questions of law to
5 this Honorable Court.

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7 19. SnG states that the allegations in Paragraph 19 of the Complaint are directed to another
8 defendant. To the extent that a response is required, it denies knowledge or information sufficient to form a
9 belief about the truth of the allegations in Paragraph 18 of the Complaint, and refers all questions of law to
10 this Honorable Court.

11 20. SnG denies the allegations in Paragraph 20 of the Complaint. To the extent that the
12 allegations in Paragraph 20 of the Complaint are directed to other defendants, SnG denies knowledge or
13 information sufficient to form a belief about the truth of such allegations, so same are denied.
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15 **III. JURISDICTION AND VENUE**

16 21. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
17 (Counts Nine through Thirteen of the Complaint) were dismissed, and as such, such claims do not form the
18 basis for subject matter jurisdiction. SnG admits that there is complete diversity between the Plaintiff and
19 defendants, denies that Plaintiff's claims for damages have any value, and refers all questions of law to this
20 Honorable Court as to whether diversity jurisdiction exists.

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22 22. SnG denies that any "events or omissions" committed by it give rise to any claim being
23 brought by Plaintiff, but admits that based on the allegations in the Complaint, venue is proper in this
24 District.

25 **IV. DEFENDANTS**

26 23. SnG denies the allegations in Paragraph 23 of the Complaint. To the extent that the
27 allegations in Paragraph 23 of the Complaint are directed to other defendants, SnG denies knowledge or
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1 information sufficient to form a belief about the truth of such allegations, so same are denied.

2 24. SnG denies the allegations in Paragraph 24 of the Complaint. To the extent that the
3 allegations in Paragraph 24 of the Complaint are directed to other defendants, SnG denies knowledge or
4 information sufficient to form a belief about the truth of such allegations, so same are denied.

5 25. SnG denies the allegations in Paragraph 25 of the Complaint To the extent that the
6 allegations in Paragraph 25 of the Complaint are directed to other defendants, SnG denies knowledge or
7 information sufficient to form a belief about the truth of such allegations, so same are denied.

8 26. SnG denies knowledge or information sufficient to form a belief about the truth of the
9 allegations in Paragraph 26 of the Complaint, so same are denied.

10 27. SnG denies knowledge or information sufficient to form a belief about the truth of the
11 allegations in Paragraph 27 of the Complaint, so same are denied.

12 28. SnG denies knowledge or information sufficient to form a belief about the truth of the
13 allegations in Paragraph 28 of the Complaint, so same are denied.

14 29. SnG denies knowledge or information sufficient to form a belief about the truth of the
15 allegations in Paragraph 29 of the Complaint, so same are denied.

16 30. The allegations in Paragraph 30 of the Complaint relate to Plaintiff's intentions related to
17 filing this lawsuit and the substance of its legal claims, to which no response is required by this Defendant.
18 To the extent that a response is required, SnG denies that it knowingly and systematically participates in
19 any scheme to traffic firearms into Mexico, and denies knowledge or information to form a belief about the
20 truth of the allegations in Paragraph 30 of the Complaint as asserted against other defendants, so same are
21 denied.

22 31. SnG denies knowledge or information sufficient to form a belief about the truth of the
23 allegations in Paragraph 31 of the Complaint regarding the number of federal firearms licensees located in
24 Arizona or the population of Arizona, so same are denied. SnG denies the remaining allegations in
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1 Paragraph 31 of the Complaint.

2 32. SnG denies the allegations in Paragraph 32 of the Complaint. To the extent that the
3 allegations in Paragraph 32 of the Complaint are directed to other defendants, SnG denies knowledge or
4 information sufficient to form a belief about the truth of such allegations, so same are denied.

5 33. SnG denies knowledge or information sufficient to form a belief about the truth of the
6 allegations in Paragraph 33 of the Complaint, so same are denied.

7 34. SnG denies the allegations in Paragraph 34 of the Complaint regarding the cartels seeking
8 out defendants' stores and denies knowledge or information sufficient to form a belief about the truth of the
9 allegations in Paragraph 34 of the Complaint regarding the number of firearms dealers between Nogales,
10 Arizona and SnG, so same are denied. To the extent that the allegations in Paragraph 34 of the Complaint
11 are directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the
12 truth of such allegations, so same are denied.

13 35. SnG denies the allegations in Paragraph 35 of the Complaint. To the extent that the
14 allegations in Paragraph 35 of the Complaint are directed to other defendants, SnG denies knowledge or
15 information sufficient to form a belief about the truth of such allegations, so same are denied.

16 36. SnG denies knowledge or information sufficient to form a belief about the truth of the
17 allegations in Paragraph 36 of the Complaint as to what a federal judge said or didn't say in an opinion in
18 2003, but notes that SnG was not a party to the lawsuit referenced in Paragraph 36 of the Complaint and
19 denies that decision has any relevance or effect on the claims in this case.

20 37. SnG denies knowledge or information sufficient to form a belief about the truth of the
21 allegations in Paragraph 37 of the Complaint, but denies that the number of traces connected to a particular
22 federal firearms licensee is evidence of any illegal, intentional or negligent conduct by such licensee, as
23 ATF has indicated on numerous occasions. SnG further denies knowledge or information sufficient to form
24 a belief about the truth as to what a federal judge said or didn't say in an opinion in 2003, but notes that
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1 SnG was not a party to the lawsuit referenced in Paragraph 37 of the Complaint and denies that decision has
2 any relevance or effect on the claims in this case.

3 38. SnG denies the allegations in Paragraph 38 of the Complaint. To the extent that the
4 allegations in Paragraph 38 of the Complaint are directed to other defendants, SnG denies knowledge or
5 information sufficient to form a belief about the truth of such allegations, so same are denied.
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7 39. SnG denies the allegations in Paragraph 39 of the Complaint. To the extent that the
8 allegations in Paragraph 39 of the Complaint are directed to other defendants, SnG denies knowledge or
9 information sufficient to form a belief about the truth of such allegations, so same are denied.

10 40. SnG denies the allegations in Paragraph 40 of the Complaint. To the extent that the
11 allegations in Paragraph 40 of the Complaint are directed to other defendants, SnG denies knowledge or
12 information sufficient to form a belief about the truth of such allegations, so same are denied.
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14 41. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
15 to the action herein, and as such, no response to portions of Paragraph 41 of the Complaint is required. SnG
16 denies that it engages in any of the activities alleged in Paragraph 41 of the Complaint, refers all questions
17 of law to this Honorable Court, but admits that a licensed dealer who knowingly transfers or sells a firearm
18 to a person it knows is not the "actual transferee/buyer" of the firearm, as that term is defined by the ATF,
19 may be in violation of U.S. law.

20 42. SnG denies the allegations in Paragraph 42 of the Complaint except admits that pursuant to
21 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.126a, federally licensed dealers are required to file a Report
22 of Multiple Sale or Other Disposition of Pistols and Revolvers (ATF Form 3310.4) when two or more
23 handguns are disposed of to a non-licensee within a five (5) business day period, and this Report is sent to
24 ATF and a designated local law enforcement agency.
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26 43. SnG denies knowledge or information sufficient to form a belief about the truth of the
27 allegations in Paragraph 43 of the Complaint except admits federally licensed dealers located in Arizona,
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1 California, New Mexico and Texas are required to file a Report of Multiple Sale or Other Disposition of
2 Certain Rifles (ATF Form 3310.12) when two or more semiautomatic rifles capable of accepting a
3 detachable magazine and with a caliber greater than .22 are disposed of within a five (5) business day
4 period to an unlicensed person.

5 44. SnG denies the allegations in Paragraph 44 of the Complaint. To the extent that the
6 allegations in Paragraph 44 of the Complaint refer to “buyers,” “traffickers,” and the “illegal market in
7 Mexico,” SnG denies knowledge or information sufficient to form a belief about the truth of such
8 allegations, so same are denied.

9 45. SnG denies the allegations in Paragraph 45 of the Complaint. To the extent that the
10 allegations in Paragraph 45 of the Complaint are directed to other defendants, SnG denies knowledge or
11 information sufficient to form a belief about the truth of such allegations, so same are denied.

12 46. SnG denies the allegations in Paragraph 46 of the Complaint.

13 47. SnG denies knowledge or information sufficient to form a belief about the truth of the
14 allegations in Paragraph 47 of the Complaint as to what a federal judge said or didn’t say in an opinion in
15 2003, but notes that SnG was not a party to the lawsuit referenced in Paragraph 47 of the Complaint and
16 denies that decision has any relevance or effect on the claims in this case.

17 48. SnG denies the allegations in Paragraph 48 of the Complaint. To the extent that the
18 allegations in Paragraph 48 of the Complaint are directed to other defendants, SnG denies knowledge or
19 information sufficient to form a belief about the truth of such allegations, so same are denied.

20 49. SnG denies the allegations in Paragraph 49 of the Complaint and refers all questions of law
21 to this Honorable Court.

22 50. SnG denies the allegations in Paragraph 50 of the Complaint. To the extent that the
23 allegations in Paragraph 50 of the Complaint are directed to other defendants, SnG denies knowledge or
24 information sufficient to form a belief about the truth of such allegations, so same are denied.

1 51. SnG denies the allegations in Paragraph 51 of the Complaint.

2 52. SnG denies the allegations in Paragraph 52 of the Complaint and refers all questions of law
3 to this Honorable Court. To the extent that the allegations in Paragraph 52 of the Complaint are directed to
4 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
5 allegations, so same are denied.
6

7 53. SnG denies the allegations in Paragraph 53 of the Complaint. To the extent that the
8 allegations in Paragraph 53 of the Complaint are directed to other defendants, SnG denies knowledge or
9 information sufficient to form a belief about the truth of such allegations, so same are denied.

10 **V. EXAMPLES OF SPECIFIC SALES**

11 54. SnG denies the allegations in Paragraph 54 of the Complaint. To the extent that the
12 allegations in Paragraph 54 of the Complaint are directed to other defendants, SnG denies knowledge or
13 information sufficient to form a belief about the truth of such allegations, so same are denied.
14

15 55. SnG denies the allegations in Paragraph 55 of the Complaint. To the extent that the
16 allegations in Paragraph 55 of the Complaint are directed to other defendants, SnG denies knowledge or
17 information sufficient to form a belief about the truth of such allegations, so same are denied.

18 56. There are no allegations of fact contained in Paragraph 56 of the Complaint, but SnG denies
19 any implication or inference of wrongdoing contained in Paragraph 56 of the Complaint.

20 57. SnG denies knowledge or information sufficient to form a belief about the truth of the
21 allegations in Paragraph 57 of the Complaint, as they are not directed to SnG, so same are denied.
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23 58. SnG denies knowledge or information sufficient to form a belief about the truth of the
24 allegations in Paragraph 58 of the Complaint, as they are not directed to SnG, so same are denied.

25 59. SnG denies knowledge or information sufficient to form a belief about the truth of the
26 allegations in Paragraph 59 of the Complaint, as they are not directed to SnG, so same are denied.

27 60. SnG denies knowledge or information sufficient to form a belief about the truth of the
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1 allegations in Paragraph 60 of the Complaint, as they are not directed to SnG, so same are denied.

2 61. SnG denies knowledge or information sufficient to form a belief about the truth of the
3 allegations in Paragraph 61 of the Complaint, as they are not directed to SnG, so same are denied.

4 62. SnG denies knowledge or information sufficient to form a belief about the truth of the
5 allegations in Paragraph 62 of the Complaint, as they are not directed to SnG, so same are denied.

6 63. SnG denies knowledge or information sufficient to form a belief about the truth of the
7 allegations in Paragraph 63 of the Complaint, as they are not directed to SnG, so same are denied.

8 64. SnG denies knowledge or information sufficient to form a belief about the truth of the
9 allegations in Paragraph 64 of the Complaint, as they are not directed to SnG, so same are denied.

10 65. SnG denies the allegations in Paragraph 65 of the Complaint and refers all questions of law
11 to this Honorable Court.

12 66. SnG denies the allegations in Paragraph 66 of the Complaint and refers all questions of law
13 to this Honorable Court.

14 67. SnG denies the allegations in Paragraph 67 of the Complaint and refers all questions of law
15 to this Honorable Court.

16 68. SnG denies the allegations in Paragraph 68 of the Complaint and refers all questions of law
17 to this Honorable Court.

18 69. SnG denies the allegations in Paragraph 69 of the Complaint and refers all questions of law
19 to this Honorable Court.

20 70. SnG denies the allegations in Paragraph 70 of the Complaint and refers all questions of law
21 to this Honorable Court.

22 71. SnG denies the allegations in Paragraph 71 of the Complaint and refers all questions of law
23 to this Honorable Court.

24 72. SnG denies the allegations in Paragraph 72 of the Complaint and refers all questions of law
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1 to this Honorable Court.

2 73. SnG denies the allegations in Paragraph 73 of the Complaint and refers all questions of law
3 to this Honorable Court.

4 74. SnG denies the allegations in Paragraph 74 of the Complaint and refers all questions of law
5 to this Honorable Court.

6 75. SnG denies knowledge or information sufficient to form a belief about the truth of the
7 allegations in Paragraph 75 of the Complaint, as they are not directed to SnG, so same are denied.

8 76. SnG denies knowledge or information sufficient to form a belief about the truth of the
9 allegations in Paragraph 76 of the Complaint, as they are not directed to SnG, so same are denied.

10 77. SnG denies the allegations in Paragraph 77 of the Complaint and refers all questions of law
11 to this Honorable Court.

12 78. SnG denies the allegations in Paragraph 78 of the Complaint and refers all questions of law
13 to this Honorable Court.

14 79. SnG denies the allegations in Paragraph 79 of the Complaint and refers all questions of law
15 to this Honorable Court.

16 80. SnG denies the allegations in Paragraph 80 of the Complaint and refers all questions of law
17 to this Honorable Court.

18 81. SnG denies the allegations in Paragraph 81 of the Complaint and refers all questions of law
19 to this Honorable Court.

20 82. SnG denies the allegations in Paragraph 82 of the Complaint and refers all questions of law
21 to this Honorable Court.

22 83. SnG denies the allegations in Paragraph 83 of the Complaint and refers all questions of law
23 to this Honorable Court.

24 84. SnG denies the allegations in Paragraph 84 of the Complaint and refers all questions of law
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1 to this Honorable Court.

2 85. SnG denies the allegations in Paragraph 85 of the Complaint and refers all questions of law
3 to this Honorable Court.

4 86. SnG denies the allegations in Paragraph 86 of the Complaint and refers all questions of law
5 to this Honorable Court.

6 87. SnG denies the allegations in Paragraph 87 of the Complaint and refers all questions of law
7 to this Honorable Court.

8 88. SnG denies the allegations in Paragraph 88 of the Complaint and refers all questions of law
9 to this Honorable Court.

10 89. SnG denies the allegations in Paragraph 89 of the Complaint and refers all questions of law
11 to this Honorable Court.

12 90. SnG denies the allegations in Paragraph 90 of the Complaint and refers all questions of law
13 to this Honorable Court.

14 91. SnG denies the allegations in Paragraph 91 of the Complaint and refers all questions of law
15 to this Honorable Court.

16 92. SnG denies the allegations in Paragraph 92 of the Complaint and refers all questions of law
17 to this Honorable Court.

18 93. SnG denies the allegations in Paragraph 93 of the Complaint and refers all questions of law
19 to this Honorable Court.

20 94. SnG denies the allegations in Paragraph 94 of the Complaint and refers all questions of law
21 to this Honorable Court.

22 95. SnG denies the allegations in Paragraph 95 of the Complaint and refers all questions of law
23 to this Honorable Court.

24 96. SnG denies the allegations in Paragraph 96 of the Complaint and refers all questions of law
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1 to this Honorable Court.

2 97. SnG denies the allegations in Paragraph 97 of the Complaint and refers all questions of law
3 to this Honorable Court.

4 98. SnG denies the allegations in Paragraph 98 of the Complaint and refers all questions of law
5 to this Honorable Court.

6 99. SnG denies knowledge or information sufficient to form a belief about the truth of the
7 allegations in Paragraph 99 of the Complaint, as they are not directed to SnG, so same are denied.

8 100. SnG denies the allegations in Paragraph 100 of the Complaint and refers all questions of law
9 to this Honorable Court.

10 101. SnG denies the allegations in Paragraph 101 of the Complaint and refers all questions of law
11 to this Honorable Court.

12 102. SnG denies the allegations in Paragraph 102 of the Complaint and refers all questions of law
13 to this Honorable Court.

14 103. SnG denies the allegations in Paragraph 103 of the Complaint and refers all questions of law
15 to this Honorable Court.

16 104. SnG denies knowledge or information sufficient to form a belief about the truth of the
17 allegations in Paragraph 104 of the Complaint, as they are not directed to SnG, so same are denied.

18 105. SnG denies knowledge or information sufficient to form a belief about the truth of the
19 allegations in Paragraph 105 of the Complaint, as they are not directed to SnG, so same are denied.

20 106. SnG denies knowledge or information sufficient to form a belief about the truth of the
21 allegations in Paragraph 106 of the Complaint, as they are not directed to SnG, so same are denied.

22 107. SnG denies knowledge or information sufficient to form a belief about the truth of the
23 allegations in Paragraph 107 of the Complaint, as they are not directed to SnG, so same are denied.

24 108. SnG denies knowledge or information sufficient to form a belief about the truth of the
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1 allegations in Paragraph 108 of the Complaint, as they are not directed to SnG, so same are denied.

2 109. SnG denies the allegations in Paragraph 109 of the Complaint and refers all questions of law
3 to this Honorable Court.

4 110. SnG denies knowledge or information sufficient to form a belief about the truth of the
5 allegations in Paragraph 110 of the Complaint, as they are not directed to SnG, so same are denied.
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7 111. SnG denies the allegations in Paragraph 111 of the Complaint and refers all questions of law
8 to this Honorable Court.

9 112. SnG denies the allegations in Paragraph 112 of the Complaint and refers all questions of law
10 to this Honorable Court.

11 113. SnG denies the allegations in Paragraph 113 of the Complaint and refers all questions of law
12 to this Honorable Court.

13 114. SnG denies the allegations in Paragraph 114 of the Complaint and refers all questions of law
14 to this Honorable Court.
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16 115. SnG denies the allegations in Paragraph 115 of the Complaint and refers all questions of law
17 to this Honorable Court.

18 116. SnG denies the allegations in Paragraph 116 of the Complaint and refers all questions of law
19 to this Honorable Court.

20 117. SnG denies the allegations in Paragraph 117 of the Complaint and refers all questions of
21 law to this Honorable Court. To the extent that the allegations in Paragraph 117 of the Complaint are
22 directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the
23 truth of such allegations, so same are denied.
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25 VI. DATA

26 118. SnG denies the allegations in Paragraph 118 of the Complaint. To the extent that the
27 allegations in Paragraph 118 of the Complaint are directed to other defendants, SnG denies knowledge or
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1 information sufficient to form a belief about the truth of such allegations, so same are denied.

2 119. SnG denies the allegations in Paragraph 119 of the Complaint. To the extent that the
3 allegations in Paragraph 119 of the Complaint are directed to other defendants, SnG denies knowledge or
4 information sufficient to form a belief about the truth of such allegations, so same are denied.

5 120. SnG denies the allegations in Paragraph 120 of the Complaint. To the extent that the
6 allegations in Paragraph 120 of the Complaint are directed to other defendants, SnG denies knowledge or
7 information sufficient to form a belief about the truth of such allegations, so same are denied.

8 121. SnG denies the allegations in Paragraph 121 of the Complaint and refers all questions of law
9 to this Honorable Court. To the extent that the allegations in Paragraph 121 of the Complaint are directed to
10 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
11 allegations.

12 122. SnG denies the allegations in Paragraph 122 of the Complaint. To the extent that the
13 allegations in Paragraph 122 of the Complaint are directed to other defendants, SnG denies knowledge or
14 information sufficient to form a belief about the truth of such allegations, so same are denied.

15 123. SnG denies the allegations in Paragraph 123 of the Complaint. To the extent that the
16 allegations in Paragraph 123 of the Complaint are directed to other defendants and non-parties, SnG denies
17 knowledge or information sufficient to form a belief about the truth of such allegations, so same are denied.

18 124. SnG denies the allegations in Paragraph 124 of the Complaint.

19 **VII. DEFENDANTS' LEGAL DUTIES**

20 125. SnG denies the allegations in Paragraph 125 of the Complaint and refers all questions of law
21 to this Honorable Court. To the extent that the allegations in Paragraph 125 of the Complaint are directed to
22 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
23 allegations, so same are denied.

24 126. SnG denies the allegations in Paragraph 126 of the Complaint and refers all questions of law
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1 to this Honorable Court.

2 127. SnG denies the allegations in Paragraph 127 of the Complaint and refers all questions of law
3 to his Honorable Court. To the extent that the allegations in Paragraph 127 of the Complaint are directed to
4 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
5 allegations, so same are denied.
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7 128. SnG denies the allegations in Paragraph 128 of the Complaint. To the extent that the
8 allegations in Paragraph 128 of the Complaint are directed to other defendants, SnG denies knowledge or
9 information to form a belief about the truth of such allegations, so same are denied.

10 129. SnG denies the allegations in Paragraph 129 of the Complaint and refers all questions of law
11 to this Honorable Court.

12 130. SnG denies the allegations in Paragraph 130 of the Complaint and refers all questions of law
13 to this Honorable Court.
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15 131. SnG denies the allegations in Paragraph 131 of the Complaint and refers all questions of law
16 to this Honorable Court. To the extent that the allegations in Paragraph 131 of the Complaint are directed to
17 other defendants, SnG denies knowledge or information to form a belief about the truth of such allegations,
18 so same are denied.

19 132. The Paragraph designated as “132” of the Complaint includes solely legal conclusions, and
20 as such, no response is necessary. However, in the event the Court determines that an answer is required,
21 SnG states that the referenced statutes and regulation speak for themselves, and refers all questions of law to
22 this Honorable Court.
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24 133. The Paragraph designated as “133” of the Complaint includes solely legal conclusions, and
25 as such, no response is necessary. However, in the event the Court determines that an answer is required,
26 SnG states that the referenced statutes speak for themselves, and refers all questions of law to this
27 Honorable Court.
28

1 134. The Paragraph designated as “134” of the Complaint includes solely legal conclusions, and
2 as such, no response is necessary. However, in the event the Court determines that an answer is required,
3 SnG states that the referenced statute speaks for itself, SnG lacks knowledge or information sufficient to
4 form a belief as to why such laws were enacted, and refers all questions of law to this Honorable Court.

5 135. Portions of the Paragraph designated as “135” of the Complaint include solely legal
6 conclusions, and as such, no response to same is necessary. SnG states that the referenced statutes and
7 regulations speak for themselves, SnG lacks knowledge or information sufficient to form a belief as to why
8 such laws were enacted, and refers all questions of law to this Honorable Court. However, SnG admits that
9 the “Bureau of Alcohol, Tobacco, Firearms and Explosives has partnered with the National Shooting Sports
10 Foundation . . . in designing an educational program to assist firearm retailers in the detection and possible
11 deterrence of ‘straw purchasers’ . . .”

12 136. SnG denies that the National Shooting Sports Foundation sets “standards” through its
13 “Don’t Lie for the Other Guy” campaign. SnG further states that the literature associated with that
14 educational campaign speaks for itself, and denies any remaining allegations in Paragraph 136 of the
15 Complaint.

16 137. SnG denies the allegations in Paragraph 137 of the Complaint, except admits that in most
17 circumstances, before transferring a firearm to any person who is not a licensed dealer, among other
18 requirements, a licensed dealer may have to conduct a background check, examine the prospective
19 buyer/transferee’s identification, and record the transaction on a firearm transaction record, also known as
20 an ATF Form 4473.

21 138. SnG denies the allegations in Paragraph 138 of the Complaint, except admits that in most
22 circumstances, before transferring a firearm to any person who is not a licensed dealer, among other
23 requirements, a buyer must fill out an ATF Form 4473, which currently contains question 21(a), which
24 states the following: “Are you the actual transferee/buyer of all of the firearm(s) listed on this form and any
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1 continuation sheet(s) (ATF Form 5300.9A)? **Warning: You are not the actual transferee/buyer if you**
2 **are acquiring any of the firearm(s) on behalf of another person. If you are not the actual**
3 **transferee/buyer, the licensee cannot transfer any of the firearm(s) to you.** Exception: If you are
4 only picking up a repaired firearm(s) for another person, you are not required to answer 21.a. and may
5 proceed to question 21.b.”
6

7 139. The Paragraph designated as “139” of the Complaint includes solely legal conclusions, and
8 as such, no response is necessary. However, in the event the Court determines that an answer is required,
9 SnG states that the referenced statutes and regulations speak for themselves, SnG lacks knowledge or
10 information sufficient to form a belief as to why such laws were enacted, and refers all questions of law to
11 this Honorable Court.

12 140. The Paragraph designated as “140” of the Complaint includes solely legal conclusions, and
13 as such, no response is necessary. However, in the event the Court determines that an answer is required,
14 SnG states that the referenced statutes and regulations speak for themselves, and refers all questions of law
15 to this Honorable Court.

16 141. SnG states that the ATF Form 4473 speaks for itself, denies any remaining allegations in
17 Paragraph 141 of the Complaint, and refers all questions of law to his Honorable Court.

18 142. The Paragraph designated as “142” of the Complaint includes solely legal conclusions, and
19 as such, no response is necessary. However, in the event the Court determines that an answer is required,
20 SnG states that the referenced statutes and regulations speak for themselves, and refers all questions of law
21 to this Honorable Court.

22 143. The Paragraph designated as “143” of the Complaint includes solely legal conclusions, and
23 as such, no response is necessary. However, in the event the Court determines that an answer is required,
24 SnG states that the referenced statutes speak for themselves, and refers all questions of law to this
25 Honorable Court.
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1 144. The Paragraph designated as “144” of the Complaint includes solely legal conclusions, and
2 as such, no response is necessary. However, in the event the Court determines that an answer is required,
3 SnG states that the referenced statutes and regulations speak for themselves, and refers all questions of law
4 to this Honorable Court.

5 145. The Paragraph designated as “145” of the Complaint includes solely legal conclusions, and
6 as such, no response is necessary. However, in the event the Court determines that an answer is required,
7 SnG states that the referenced statutes and regulations speak for themselves, and refers all questions of law
8 to this Honorable Court.

9 146. SnG denies the allegations in Paragraph 146 of the Complaint and refers all questions of law
10 to this Honorable Court. To the extent that the allegations in Paragraph 146 of the Complaint are directed to
11 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
12 allegations, so same are denied.

13 147. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
14 to the action herein. To the extent that a response is required, SnG denies knowledge or information
15 sufficient to form a belief about the truth of the allegations in Paragraph 147 of the Complaint.

16 148. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
17 to the action herein. To the extent that a response is required, SnG denies knowledge or information
18 sufficient to form a belief about the truth of the allegations in Paragraph 148 of the Complaint.

19 149. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
20 to the action herein. To the extent that a response is required, SnG denies knowledge or information
21 sufficient to form a belief about the truth of the allegations in Paragraph 149 of the Complaint.

22 150. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
23 to the action herein. To the extent that a response is required, SnG denies knowledge or information
24 sufficient to form a belief about the truth of the allegations in Paragraph 150 of the Complaint, and refers all
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1 questions of law to this Honorable Court.

2 151. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
3 to the action herein. To the extent that a response is required, SnG denies knowledge or information
4 sufficient to form a belief about the truth of the allegations in Paragraph 151 of the Complaint.

5 152. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
6 to the action herein. To the extent that a response is required, SnG denies knowledge or information
7 sufficient to form a belief about the truth of the allegations in Paragraph 152 of the Complaint.

8 153. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
9 to the action herein. To the extent that a response is required, SnG denies knowledge or information
10 sufficient to form a belief about the truth of the allegations in Paragraph 153 of the Complaint.

11 154. The Paragraph designated as "154" of the Complaint includes solely legal conclusions, and
12 as such, no response is necessary. However, in the event the Court determines that an answer is required,
13 SnG states that the referenced statutes and regulations speak for themselves, and refers all questions of law
14 to this Honorable Court.

15 155. The Paragraph designated as "155" of the Complaint includes solely legal conclusions, and
16 as such, no response is necessary. However, in the event the Court determines that an answer is required,
17 SnG states that the referenced statutes and regulations speak for themselves, and refers all questions of law
18 to this Honorable Court.

19 156. The Paragraph designated as "156" of the Complaint includes solely legal conclusions, and
20 as such, no response is necessary. However, in the event the Court determines that an answer is required,
21 SnG states that the referenced statutes and regulations speak for themselves, and refers all questions of law
22 to this Honorable Court.

23 157. The Paragraph designated as "157" of the Complaint includes solely legal conclusions, and
24 as such, no response is necessary. However, in the event the Court determines that an answer is required,
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1 SnG states that the referenced statutes and regulations speak for themselves, and refers all questions of law
2 to this Honorable Court.

3 158. The Paragraph designated as “158” of the Complaint includes solely legal conclusions, and
4 as such, no response is necessary. However, in the event the Court determines that an answer is required,
5 SnG states that the referenced statutes and regulations speak for themselves, and refers all questions of law
6 to this Honorable Court.
7

8 159. The Paragraph designated as “159” of the Complaint includes solely legal conclusions, and
9 as such, no response is necessary. However, in the event the Court determines that an answer is required,
10 SnG states that the referenced statutes and regulations speak for themselves, and refers all questions of law
11 to this Honorable Court.
12

13 160. The Paragraph designated as “160” of the Complaint includes legal conclusions, and as
14 such, no response is necessary. However, in the event the Court determines that an answer is required, SnG
15 states that the referenced statutes and regulations speak for themselves, refers all questions of law to this
16 Honorable Court, and admits that murder, drug dealing, extortion, and other criminal acts committed by
17 Cartels in Mexico would constitute a felony if such acts occurred in the United States.
18

19 161. SnG denies the allegations in Paragraph 161 of the Complaint and refers all questions of law
20 to this Honorable Court. To the extent that the allegations in Paragraph 161 of the Complaint are directed to
21 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
22 allegations, so same are denied.

23 162. SnG denies the allegations in Paragraph 162 of the Complaint and refers all questions of law
24 to this Honorable Court.

25 163. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
26 to the action herein. To the extent that a response is required, SnG denies the allegations in Paragraph 163
27 of the Complaint and refers all questions of law to this Honorable Court.
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1 164. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
2 to the action herein. To the extent that a response is required, SnG denies the allegations in Paragraph 164
3 of the Complaint and refers all questions of law to this Honorable Court.

4 165. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
5 to the action herein. To the extent that a response is required, SnG denies the allegations in Paragraph 165
6 of the Complaint and refers all questions of law to this Honorable Court.

7 166. SnG denies the allegations in Paragraph 166 of the Complaint and refers all questions of law
8 to this Honorable Court.

9 167. SnG denies the allegations in Paragraph 167 of the Complaint and refers all questions of law
10 to this Honorable Court. To the extent that the allegations in Paragraph 167 of the Complaint are directed to
11 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
12 allegations, so same are denied.

13 168. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
14 to the action herein. Notwithstanding, SnG denies the allegations in Paragraph 168 of the Complaint and
15 refers all questions of law to this Honorable Court.

16 169. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
17 to the action herein. Notwithstanding, SnG denies the allegations in Paragraph 169 of the Complaint and
18 refers all questions of law to this Honorable Court. To the extent that the allegations in Paragraph 169 of the
19 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to form a belief
20 about the truth of such allegations, so same are denied.

21 170. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
22 to the action herein. Notwithstanding, SnG denies the allegations in Paragraph 170 of the Complaint and
23 refers all questions of law to this Honorable Court.

24 171. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not apply
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1 to the action herein. Notwithstanding, SnG denies the allegations in Paragraph 171 of the Complaint and
2 refers all questions of law to this Honorable Court.

3 172. SnG denies the allegations in Paragraph 172 of the Complaint and refers all questions of law
4 to this Honorable Court.

5 173. SnG denies the allegations in Paragraph 173 of the Complaint and refers all questions of law
6 to this Honorable Court.

7 174. SnG denies the allegations in Paragraph 174 of the Complaint and refers all questions of law
8 to this Honorable Court. To the extent that the allegations in Paragraph 174 of the Complaint are directed to
9 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
10 allegations, so same are denied.

11 175. SnG denies the allegations in Paragraph 175 of the Complaint and refers all questions of law
12 to this Honorable Court.

13 176. SnG denies the allegations in Paragraph 176 of the Complaint and refers all questions of law
14 to this Honorable Court. To the extent that the allegations in Paragraph 176 of the Complaint are directed to
15 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
16 allegations, so same are denied.

17 177. SnG denies the allegation as to what these defendants can “justly complain” of in terms of
18 the Mexico’s unwillingness, inability and ineptitude in controlling, preventing and stemming criminal
19 activity within its borders, but denies information or knowledge sufficient to form a belief as to specific
20 programs conducted by law enforcement as set forth in Paragraph 177 of the Complaint.

21 178. SnG denies the allegations in Paragraph 178 of the Complaint.

22 **VIII. DEFENDANTS’ ALLEGED RICO VIOLATIONS**

23 179. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Plaintiff’s RICO claims
24 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
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1 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
2 allegations in Paragraph 179 of the Complaint directed against it, refers all questions of law to this
3 Honorable Court, and to the extent any allegations in Paragraph 179 of the Complaint are directed to other
4 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
5 allegations, so same are denied.
6

7 180. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
8 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
9 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
10 allegations in Paragraph 180 of the Complaint directed against it, refers all questions of law to this
11 Honorable Court, and to the extent any allegations in Paragraph 180 of the Complaint are directed to other
12 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
13 allegations, so same are denied.
14

15 181. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
16 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
17 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
18 allegations in Paragraph 181 of the Complaint directed against it, refers all questions of law to this
19 Honorable Court, and to the extent any allegations in Paragraph 181 of the Complaint are directed to other
20 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
21 allegations, so same are denied.
22

23 182. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
24 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
25 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
26 allegations in Paragraph 182 of the Complaint directed against it, refers all questions of law to this
27 Honorable Court, and to the extent any allegations in Paragraph 182 of the Complaint are directed to other
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1 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
2 allegations, so same are denied.

3 183. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
4 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
5 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
6 allegations in Paragraph 183 of the Complaint directed against it, refers all questions of law to this
7 Honorable Court, and to the extent any allegations in Paragraph 183 of the Complaint are directed to other
8 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
9 allegations, so same are denied.
10

11 184. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
12 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
13 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
14 allegations in Paragraph 184 of the Complaint directed against it, refers all questions of law to this
15 Honorable Court, and to the extent any allegations in Paragraph 184 of the Complaint are directed to other
16 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
17 allegations, so same are denied.
18

19 185. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
20 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
21 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
22 allegations in Paragraph 185 of the Complaint directed against it, refers all questions of law to this
23 Honorable Court, and to the extent any allegations in Paragraph 185 of the Complaint are directed to other
24 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
25 allegations, so same are denied.
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27 186. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
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1 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
2 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
3 allegations in Paragraph 186 of the Complaint directed against it, refers all questions of law to this
4 Honorable Court, and to the extent any allegations in Paragraph 186 of the Complaint are directed to other
5 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
6 allegations, so same are denied.
7

8 187. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
9 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
10 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
11 allegations in Paragraph 187 of the Complaint directed against it, refers all questions of law to this
12 Honorable Court, and to the extent any allegations in Paragraph 187 of the Complaint are directed to other
13 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
14 allegations, so same are denied.
15

16 188. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
17 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
18 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
19 allegations in Paragraph 188 of the Complaint directed against it, refers all questions of law to this
20 Honorable Court, and to the extent any allegations in Paragraph 188 of the Complaint are directed to other
21 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
22 allegations, so same are denied.
23

24 189. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
25 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
26 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
27 allegations in Paragraph 189 of the Complaint directed against it, refers all questions of law to this
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1 Honorable Court, and to the extent any allegations in Paragraph 189 of the Complaint are directed to other
2 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
3 allegations, so same are denied.

4 190. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
5 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
6 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
7 allegations in Paragraph 190 of the Complaint directed against it, refers all questions of law to this
8 Honorable Court, and to the extent any allegations in Paragraph 190 of the Complaint are directed to other
9 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
10 allegations, so same are denied.

11 191. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
12 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
13 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
14 allegations in Paragraph 191 of the Complaint directed against it, refers all questions of law to this
15 Honorable Court, and to the extent any allegations in Paragraph 191 of the Complaint are directed to other
16 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
17 allegations, so same are denied.

18 192. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
19 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
20 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
21 allegations in Paragraph 192 of the Complaint directed against it, refers all questions of law to this
22 Honorable Court, and to the extent any allegations in Paragraph 192 of the Complaint are directed to other
23 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
24 allegations, so same are denied.

1 193. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
2 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
3 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
4 allegations in Paragraph 193 of the Complaint directed against it, refers all questions of law to this
5 Honorable Court, and to the extent any allegations in Paragraph 193 of the Complaint are directed to other
6 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
7 allegations, so same are denied.
8

9 194. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
10 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
11 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
12 allegations in Paragraph 194 of the Complaint directed against it, refers all questions of law to this
13 Honorable Court, and to the extent any allegations in Paragraph 194 of the Complaint are directed to other
14 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
15 allegations, so same are denied.
16

17 195. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
18 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
19 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
20 allegations in Paragraph 195 of the Complaint directed against it, refers all questions of law to this
21 Honorable Court, and to the extent any allegations in Paragraph 195 of the Complaint are directed to other
22 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
23 allegations, so same are denied.
24

25 196. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
26 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
27 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
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1 allegations in Paragraph 196 of the Complaint directed against it, refers all questions of law to this
2 Honorable Court, and to the extent any allegations in Paragraph 196 of the Complaint are directed to other
3 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
4 allegations, so same are denied.

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6 197. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
7 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
8 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
9 allegations in Paragraph 197 of the Complaint directed against it, refers all questions of law to this
10 Honorable Court, and to the extent any allegations in Paragraph 197 of the Complaint are directed to other
11 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
12 allegations, so same are denied.

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14 198. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
15 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
16 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
17 allegations in Paragraph 198 of the Complaint directed against it, refers all questions of law to this
18 Honorable Court, and to the extent any allegations in Paragraph 198 of the Complaint are directed to other
19 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
20 allegations, so same are denied.

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22 199. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
23 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
24 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
25 allegations in Paragraph 199 of the Complaint directed against it, refers all questions of law to this
26 Honorable Court, and to the extent any allegations in Paragraph 199 of the Complaint are directed to other
27 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
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1 allegations, so same are denied.

2 200. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
3 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
4 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
5 allegations in Paragraph 200 of the Complaint directed against it, refers all questions of law to this
6 Honorable Court, and to the extent any allegations in Paragraph 200 of the Complaint are directed to other
7 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
8 allegations, so same are denied.
9

10 201. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
11 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
12 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
13 allegations in Paragraph 201 of the Complaint directed against it, refers all questions of law to this
14 Honorable Court, and to the extent any allegations in Paragraph 201 of the Complaint are directed to other
15 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
16 allegations, so same are denied.
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18 202. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
19 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
20 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
21 allegations in Paragraph 202 of the Complaint directed against it, refers all questions of law to this
22 Honorable Court, and to the extent any allegations in Paragraph 202 of the Complaint are directed to other
23 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
24 allegations, so same are denied.
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26 203. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
27 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
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1 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
2 allegations in Paragraph 203 of the Complaint directed against it, refers all questions of law to this
3 Honorable Court, and to the extent any allegations in Paragraph 203 of the Complaint are directed to other
4 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
5 allegations, so same are denied.
6

7 204. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
8 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
9 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
10 allegations in Paragraph 204 of the Complaint directed against it, refers all questions of law to this
11 Honorable Court, and to the extent any allegations in Paragraph 204 of the Complaint are directed to other
12 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
13 allegations, so same are denied.
14

15 205. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
16 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
17 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
18 allegations in Paragraph 205 of the Complaint directed against it, refers all questions of law to this
19 Honorable Court, and to the extent any allegations in Paragraph 205 of the Complaint are directed to other
20 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
21 allegations, so same are denied.
22

23 206. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
24 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
25 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
26 allegations in Paragraph 206 of the Complaint directed against it, refers all questions of law to this
27 Honorable Court, and to the extent any allegations in Paragraph 206 of the Complaint are directed to other
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1 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
2 allegations, so same are denied.

3 207. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
4 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
5 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
6 allegations in Paragraph 207 of the Complaint directed against it, refers all questions of law to this
7 Honorable Court, and to the extent any allegations in Paragraph 207 of the Complaint are directed to other
8 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
9 allegations, so same are denied.
10

11 208. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
12 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
13 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
14 allegations in Paragraph 208 of the Complaint directed against it, refers all questions of law to this
15 Honorable Court, and to the extent any allegations in Paragraph 208 of the Complaint are directed to other
16 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
17 allegations, so same are denied.
18

19 209. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
20 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
21 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
22 allegations in Paragraph 209 of the Complaint directed against it, refers all questions of law to this
23 Honorable Court, and to the extent any allegations in Paragraph 209 of the Complaint are directed to other
24 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
25 allegations, so same are denied.
26

27 210. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
28

1 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
2 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
3 allegations in Paragraph 210 of the Complaint directed against it, refers all questions of law to this
4 Honorable Court, and to the extent any allegations in Paragraph 210 of the Complaint are directed to other
5 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
6 allegations, so same are denied.
7

8 211. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
9 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
10 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
11 allegations in Paragraph 211 of the Complaint directed against it, refers all questions of law to this
12 Honorable Court, and to the extent any allegations in Paragraph 211 of the Complaint are directed to other
13 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
14 allegations, so same are denied.
15

16 212. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
17 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
18 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
19 allegations in Paragraph 212 of the Complaint directed against it, refers all questions of law to this
20 Honorable Court, and to the extent any allegations in Paragraph 212 of the Complaint are directed to other
21 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
22 allegations, so same are denied.
23

24 213. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
25 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
26 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
27 allegations in Paragraph 213 of the Complaint directed against it, refers all questions of law to this
28

1 Honorable Court, and to the extent any allegations in Paragraph 213 of the Complaint are directed to other
2 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
3 allegations, so same are denied.

4 214. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
5 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
6 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
7 allegations in Paragraph 214 of the Complaint directed against it, refers all questions of law to this
8 Honorable Court, and to the extent any allegations in Paragraph 214 of the Complaint are directed to other
9 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
10 allegations, so same are denied.

11 215. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
12 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
13 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
14 allegations in Paragraph 215 of the Complaint directed against it, refers all questions of law to this
15 Honorable Court, and to the extent any allegations in Paragraph 215 of the Complaint are directed to other
16 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
17 allegations, so same are denied.

18 216. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims
19 (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to the allegations
20 related to or in support of Plaintiff's RICO claims is required. Notwithstanding, SnG denies any factual
21 allegations in Paragraph 216 of the Complaint directed against it, refers all questions of law to this
22 Honorable Court, and to the extent any allegations in Paragraph 216 of the Complaint are directed to other
23 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
24 allegations, so same are denied.

IX. DEFENDANTS' ALLEGED CONSUMER FRAUD STATUTE VIOLATIONS

217. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no response to the allegations related to or in support of Plaintiff's CFA claims is required. Notwithstanding, SnG denies the allegations in Paragraph 217 of the Complaint, refers all questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 217 of the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are denied.

218. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no response to the allegations related to or in support of Plaintiff's CFA claims is required. Notwithstanding, SnG denies the allegations in Paragraph 218 of the Complaint, refers all questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 218 of the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are denied.

219. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no response to the allegations related to or in support of Plaintiff's CFA claims is required. Notwithstanding, SnG denies the allegations in Paragraph 219 of the Complaint, refers all questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 219 of the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are denied.

220. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no response

1 to the allegations related to or in support of Plaintiff's CFA claims is required. Notwithstanding, SnG denies
2 the allegations in Paragraph 220 of the Complaint, refers all questions of law to this Honorable Court, and
3 to the extent that the allegations in Paragraph 220 of the Complaint are directed to other defendants, SnG
4 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
5 denied.
6

7 221. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
8 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no response
9 to the allegations related to or in support of Plaintiff's CFA claims is required. Notwithstanding, SnG denies
10 the allegations in Paragraph 221 of the Complaint, refers all questions of law to this Honorable Court, and
11 to the extent that the allegations in Paragraph 221 of the Complaint are directed to other defendants, SnG
12 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
13 denied.
14

15 222. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
16 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no response
17 to the allegations related to or in support of Plaintiff's CFA claims is required. Notwithstanding, SnG denies
18 the allegations in Paragraph 222 of the Complaint, refers all questions of law to this Honorable Court, and
19 to the extent that the allegations in Paragraph 222 of the Complaint are directed to other defendants, SnG
20 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
21 denied.
22

23 223. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
24 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no response
25 to the allegations related to or in support of Plaintiff's CFA claims is required. Notwithstanding, SnG denies
26 the allegations in Paragraph 223 of the Complaint, refers all questions of law to this Honorable Court, and
27 to the extent that the allegations in Paragraph 223 of the Complaint are directed to other defendants, SnG
28

1 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
2 denied.

3 224. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
4 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no response
5 to the allegations related to or in support of Plaintiff's CFA claims is required. Notwithstanding, SnG denies
6 the allegations in Paragraph 224 of the Complaint, refers all questions of law to this Honorable Court, and
7 to the extent that the allegations in Paragraph 224 of the Complaint are directed to other defendants, SnG
8 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
9 denied.
10

11 225. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
12 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no response
13 to the allegations related to or in support of Plaintiff's CFA claims is required. Notwithstanding, SnG denies
14 the allegations in Paragraph 225 of the Complaint, refers all questions of law to this Honorable Court, and
15 to the extent that the allegations in Paragraph 225 of the Complaint are directed to other defendants, SnG
16 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
17 denied.
18

19 226. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
20 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no response
21 to the allegations related to or in support of Plaintiff's CFA claims is required. Notwithstanding, SnG denies
22 the allegations in Paragraph 226 of the Complaint, refers all questions of law to this Honorable Court, and
23 to the extent that the allegations in Paragraph 226 of the Complaint are directed to other defendants, SnG
24 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
25 denied.
26

27 227. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
28

1 Consumer Fraud Act (“CFA”) claim (Count Seven of the Complaint) was dismissed. As such, no response
2 to the allegations related to or in support of Plaintiff’s CFA claims is required. Notwithstanding, SnG denies
3 the allegations in Paragraph 227 of the Complaint, refers all questions of law to this Honorable Court, and
4 to the extent that the allegations in Paragraph 227 of the Complaint are directed to other defendants, SnG
5 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
6 denied.
7

8 228. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Plaintiff’s Arizona
9 Consumer Fraud Act (“CFA”) claim (Count Seven of the Complaint) was dismissed. As such, no response
10 to the allegations related to or in support of Plaintiff’s CFA claims is required. Notwithstanding, SnG denies
11 the allegations in Paragraph 228 of the Complaint, refers all questions of law to this Honorable Court, and
12 to the extent that the allegations in Paragraph 228 of the Complaint are directed to other defendants, SnG
13 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
14 denied.
15

16 229. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Plaintiff’s Arizona
17 Consumer Fraud Act (“CFA”) claim (Count Seven of the Complaint) was dismissed. As such, no response
18 to the allegations related to or in support of Plaintiff’s CFA claims is required. Notwithstanding, SnG denies
19 the allegations in Paragraph 229 of the Complaint, refers all questions of law to this Honorable Court, and
20 to the extent that the allegations in Paragraph 229 of the Complaint are directed to other defendants, SnG
21 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
22 denied.
23

24 230. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Plaintiff’s Arizona
25 Consumer Fraud Act (“CFA”) claim (Count Seven of the Complaint) was dismissed. As such, no response
26 to the allegations related to or in support of Plaintiff’s CFA claims is required. Notwithstanding, SnG denies
27 the allegations in Paragraph 230 of the Complaint, refers all questions of law to this Honorable Court, and
28

1 to the extent that the allegations in Paragraph 230 of the Complaint are directed to other defendants, SnG
2 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
3 denied.

4 231. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
5 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no response
6 to the allegations related to or in support of Plaintiff's CFA claims is required. Notwithstanding, SnG denies
7 the allegations in Paragraph 231 of the Complaint, refers all questions of law to this Honorable Court, and
8 to the extent that the allegations in Paragraph 231 of the Complaint are directed to other defendants, SnG
9 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
10 denied.

11 232. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
12 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no response
13 to the allegations related to or in support of Plaintiff's CFA claims is required. Notwithstanding, SnG denies
14 the allegations in Paragraph 232 of the Complaint, refers all questions of law to this Honorable Court, and
15 to the extent that the allegations in Paragraph 232 of the Complaint are directed to other defendants, SnG
16 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
17 denied.

18 233. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
19 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no response
20 to the allegations related to or in support of Plaintiff's CFA claims is required. Notwithstanding, SnG denies
21 the allegations in Paragraph 233 of the Complaint, refers all questions of law to this Honorable Court, and
22 to the extent that the allegations in Paragraph 233 of the Complaint are directed to other defendants, SnG
23 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
24 denied.

1 234. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Plaintiff’s Arizona
2 Consumer Fraud Act (“CFA”) claim (Count Seven of the Complaint) was dismissed. As such, no response
3 to the allegations related to or in support of Plaintiff’s CFA claims is required. Notwithstanding, SnG denies
4 the allegations in Paragraph 234 of the Complaint, refers all questions of law to this Honorable Court, and
5 to the extent that the allegations in Paragraph 234 of the Complaint are directed to other defendants, SnG
6 denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are
7 denied.
8

9 **X. DEFENDANTS’ ALLEGED HARM TO GOVERNMENT**

10 235. SnG denies the allegations in Paragraph 235 of the Complaint. To the extent that the
11 allegations in Paragraph 235 of the Complaint are directed to other defendants, SnG denies knowledge or
12 information sufficient to form a belief about the truth of such allegations, so same are denied.
13

14 236. SnG denies the allegations in Paragraph 236 of the Complaint and refers all questions of law
15 to this Honorable Court. To the extent that the allegations in Paragraph 236 of the Complaint are directed to
16 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
17 allegations, so same are denied.

18 237. SnG denies the allegations in Paragraph 237 of the Complaint and refers all questions of law
19 to this Honorable Court. To the extent that the allegations in Paragraph 237 of the Complaint are directed to
20 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
21 allegations, so same are denied.
22

23 238. SnG denies the allegations in Paragraph 238 of the Complaint and refers all questions of law
24 to this Honorable Court. To the extent that the allegations in Paragraph 238 of the Complaint are directed to
25 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
26 allegations, so same are denied.
27

28 239. SnG denies knowledge or information sufficient to form a belief about the truth of the

1 allegations in Paragraph 239 of the Complaint.

2 240. SnG denies the allegations in Paragraph 240 of the Complaint and refers all questions of law
3 to this Honorable Court. To the extent that the allegations in Paragraph 240 of the Complaint are directed to
4 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
5 allegations.

6 241. SnG denies the allegations in Paragraph 241 of the Complaint and refers all questions of law
7 to this Honorable Court. To the extent that the allegations in Paragraph 241 of the Complaint are directed to
8 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
9 allegations, so same are denied.

10 242. SnG denies knowledge or information sufficient to form a belief about the truth of the
11 allegations in Paragraph 242 of the Complaint regarding any link between “gun trafficking from the United
12 States” to “horrendous consequences in Mexico” and as well as the increase in illegal gun ownership and
13 homicide rate in Mexico. SnG denies the remaining allegations in Paragraph 242 of the Complaint.

14 243. SnG denies the allegations in Paragraph 243 of the Complaint.

15 244. SnG denies the allegations in Paragraph 244 of the Complaint.

16 245. SnG denies the allegations in Paragraph 245 of the Complaint.

17 246. SnG denies the allegations in Paragraph 246 of the Complaint.

18 247. SnG denies the allegations in Paragraph 247 of the Complaint. To the extent that the
19 allegations in Paragraph 247 of the Complaint are directed to other defendants, SnG denies knowledge or
20 information sufficient to form a belief about the truth of such allegations, so same are denied.

21 248. SnG denies the allegations in Paragraph 248 of the Complaint and refers all questions of law
22 as to what damages are legally recoverable by Plaintiff to this Honorable Court.

23 249. SnG denies knowledge or information sufficient to form a belief about the truth of the
24 allegations in Paragraph 249 regarding life expectancy trends in Mexico, but denies the allegation that
25

1 deaths caused by firearms sold by SnG was causally related to any such downward trends. To the extent
2 that the allegations in Paragraph 249 of the Complaint are directed to other defendants, SnG denies
3 knowledge or information sufficient to form a belief about the truth of such allegations, so same are denied.

4 250. SnG denies the allegations in Paragraph 250 of the Complaint.

5 251. SnG denies knowledge or information sufficient to form a belief about the truth of the
6 allegations in Paragraph 251 of the Complaint.

7 252. SnG denies the allegations in Paragraph 252 of the Complaint. To the extent that the
8 allegations in Paragraph 252 of the Complaint are directed to other defendants, SnG denies knowledge or
9 information sufficient to form a belief about the truth of such allegations, so same are denied.

10 253. SnG denies knowledge or information sufficient to form a belief about the truth of the
11 allegations in Paragraph 253 of the Complaint, and will hold Plaintiff to its proof in admissible form.

12 254. SnG denies knowledge or information sufficient to form a belief about the truth of the
13 allegations in Paragraph 254 of the Complaint, and will hold Plaintiff to its proof in admissible form.

14 255. SnG denies knowledge or information sufficient to form a belief about the truth of the
15 allegations in Paragraph 255 of the Complaint, and will hold Plaintiff to its proof in admissible form.

16 256. SnG denies knowledge or information sufficient to form a belief about the truth of the
17 allegations in Paragraph 256 of the Complaint, and will hold Plaintiff to its proof in admissible form.

18 257. SnG denies knowledge or information sufficient to form a belief about the truth of the
19 allegations in Paragraph 257 of the Complaint, and will hold Plaintiff to its proof in admissible form.

20 258. SnG denies the allegations in Paragraph 258 of the Complaint. To the extent that the
21 allegations in Paragraph 258 of the Complaint are directed to other defendants, SnG denies knowledge or
22 information sufficient to form a belief about the truth of such allegations, so same are denied.

23 259. SnG denies the allegations in Paragraph 259 of the Complaint and refers all questions of law
24 to this Honorable Court. To the extent that the allegations in Paragraph 259 of the Complaint are directed to
25

1 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
2 allegations, so same are denied.

3 260. SnG denies the allegations in Paragraph 260 of the Complaint and refers all questions of law
4 to this Honorable Court. To the extent that the allegations in Paragraph 260 of the Complaint are directed to
5 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
6 allegations, so same are denied.
7

8 **XI. CLAIMS FOR RELIEF**

9 **COUNT ONE** 10 **(NEGLIGENCE)**

11 261. SnG hereby repeats and incorporates by reference its response to each preceding and
12 succeeding Paragraph as though fully set forth herein.

13 262. SnG denies the allegations in Paragraph 262 of the Complaint and refers all questions of law
14 to this Honorable Court.

15 263. SnG denies the allegations in Paragraph 263 of the Complaint and refers all questions of law
16 to this Honorable Court. To the extent that the allegations in Paragraph 263 of the Complaint are directed to
17 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
18 allegations, so same are denied.
19

20 264. SnG denies the allegations in Paragraph 264 of the Complaint and refers all questions of law
21 to this Honorable Court.

22 265. SnG denies the allegations in Paragraph 265 of the Complaint and refers all questions of law
23 to this Honorable Court.
24

25 **COUNT TWO** 26 **(PUBLIC NUISANCE)**

27 266. SnG hereby repeats and incorporates by reference its response to each preceding and
28 succeeding Paragraph as though fully set forth herein.

273. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's public nuisance claim was dismissed. As such, no response to this claim is required.

277. SnG denies the allegations in Paragraph 277 of the Complaint and refers all questions of law

1 to this Honorable Court. To the extent that the allegations in Paragraph 277 of the Complaint are directed to
2 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
3 allegations, so same are denied.

4 278. SnG denies the allegations in Paragraph 278 of the Complaint and refers all questions of law
5 to this Honorable Court. To the extent that the allegations in Paragraph 278 of the Complaint are directed to
6 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
7 allegations, so same are denied.
8

9 279. SnG denies the allegations in Paragraph 279 of the Complaint and refers all questions of law
10 to this Honorable Court. To the extent that the allegations in Paragraph 279 of the Complaint are directed to
11 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
12 allegations, so same are denied.
13

14 280. SnG denies the allegations in Paragraph 280 of the Complaint and refers all questions of law
15 to this Honorable Court. To the extent that the allegations in Paragraph 280 of the Complaint are directed to
16 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
17 allegations, so same are denied.

18 281. SnG denies the allegations in Paragraph 281 of the Complaint.

19 282. SnG denies the allegations in Paragraph 282 of the Complaint and refers all questions of law
20 to this Honorable Court.
21

22 283. SnG denies the allegations in Paragraph 283 of the Complaint and refers all questions of law
23 to this Honorable Court.

24 **COUNT FOUR**
25 **(NEGLIGENCE PER SE)**

26 284. SnG hereby repeats and incorporates by reference its response to each preceding and
27 succeeding Paragraph as though fully set forth herein.

28 285. SnG denies the allegations in Paragraph 285 of the Complaint and refers all questions of law

1 to this Honorable Court.

2 286. SnG denies the allegations in Paragraph 286 of the Complaint and refers all questions of law
3 to this Honorable Court. To the extent that the allegations in Paragraph 286 of the Complaint are directed to
4 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
5 allegations, so same are denied.

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7 287. SnG denies the allegations in Paragraph 287 of the Complaint and refers all questions of law
8 to this Honorable Court.

9 **COUNT FIVE**
10 **(GROSS NEGLIGENCE)**

11 288. SnG hereby repeats and incorporates by reference its response to each preceding and
12 succeeding Paragraph as though fully set forth herein.

13 289. SnG denies the allegations in Paragraph 289 of the Complaint and refers all questions of law
14 to this Honorable Court. To the extent that the allegations in Paragraph 289 of the Complaint are directed to
15 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
16 allegations, so same are denied.

17
18 290. SnG denies the allegations in Paragraph 290 of the Complaint and refers all questions of law
19 to this Honorable Court.

20 291. SnG denies the allegations in Paragraph 291 of the Complaint and refers all questions of law
21 to this Honorable Court.

22 292. SnG denies the allegations in Paragraph 292 of the Complaint and refers all questions of law
23 to this Honorable Court.

24 293. SnG denies the allegations in Paragraph 293 of the Complaint and refers all questions of law
25 to this Honorable Court.

26
27 **COUNT SIX**
28 **(UNJUST ENRICHMENT AND RESTITUTION)**

1 294. SnG hereby repeats and incorporates by reference its response to each preceding and
2 succeeding Paragraph as though fully set forth herein.

3 295. SnG denies the allegations in Paragraph 295 of the Complaint. To the extent that the
4 allegations in Paragraph 295 of the Complaint are directed to other defendants, SnG denies knowledge or
5 information sufficient to form a belief about the truth of such allegations, so same are denied.

6 296. SnG denies the allegations in Paragraph 296 of the Complaint and refers all questions of law
7 to this Honorable Court.

8 297. SnG denies the allegations in Paragraph 297 of the Complaint and refers all questions of law
9 to this Honorable Court.

10 298. SnG denies the allegations in Paragraph 298 of the Complaint and refers all questions of law
11 to this Honorable Court. To the extent that the allegations in Paragraph 298 of the Complaint are directed to
12 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
13 allegations, so same are denied.

14 299. SnG denies the allegations in Paragraph 299 of the Complaint and refers all questions of law
15 to this Honorable Court.

16 300. SnG denies the allegations in Paragraph 300 of the Complaint and refers all questions of law
17 to this Honorable Court. To the extent that the allegations in Paragraph 300 of the Complaint are directed to
18 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
19 allegations, so same are denied.

20 301. SnG denies the allegations in Paragraph 301 of the Complaint and refers all questions of law
21 to this Honorable Court.

22 302. SnG denies the allegations in Paragraph 302 of the Complaint and refers all questions of law
23 to this Honorable Court.

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28 **COUNT SEVEN**
 (ARIZONA'S CONSUMER FRAUD ACT)

1 303. SnG hereby repeats and incorporates by reference its response to each precedent and
2 succeeding Paragraph as though fully set forth herein.

3
4 304. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
5 Consumer Fraud Act claim was dismissed. As such, no response to this claim is required.

6 305. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
7 Consumer Fraud Act claim was dismissed. As such, no response to this claim is required.

8 306. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
9 Consumer Fraud Act claim was dismissed. As such, no response to this claim is required.

10 307. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
11 Consumer Fraud Act claim was dismissed. As such, no response to this claim is required.

12 308. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
13 Consumer Fraud Act claim was dismissed. As such, no response to this claim is required.

14 309. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
15 Consumer Fraud Act claim was dismissed. As such, no response to this claim is required.

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17
18 **COUNT EIGHT**
19 **(PUNITIVE DAMAGES)**

20 310. SnG hereby repeats and incorporates by reference its response to each preceding and
21 succeeding Paragraph as though fully set forth herein.

22 311. SnG denies the allegations in Paragraph 311 of the Complaint and refers all questions of law
23 to this Honorable Court. To the extent that the allegations in Paragraph 311 of the Complaint are directed to
24 other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
25 allegations, so same are denied.

26 312. SnG denies the allegations in Paragraph 312 of the Complaint and refers all questions of law
27 to this Honorable Court.
28

1 313. SnG denies the allegations in Paragraph 313 of the Complaint and refers all questions of law
2 to this Honorable Court.

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6 **COUNT NINE**
7 **(RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT)**
8 **18 U.S.C. § 1962(c)**

9 **Defendant SnG Tactical**

10 314. SnG hereby repeats and incorporates by reference its response to each preceding and
11 succeeding Paragraph as though fully set forth herein.

12 315. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were
13 dismissed. As such, no response to this claim is required.

14 316. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were
15 dismissed. As such, no response to this claim is required.

16 317. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were
17 dismissed. As such, no response to this claim is required.

18 318. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were
19 dismissed. As such, no response to this claim is required.

20 319. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were
21 dismissed. As such, no response to this claim is required.

22
23 **COUNT TEN**
24 **(RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT)**
25 **18 U.S.C. § 1962(c)**

26 **Defendant Diamondback**

27 320. SnG hereby repeats and incorporates by reference its response to each preceding and
28 succeeding Paragraph as though fully set forth herein.

325. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were dismissed. As such, no response to this claim is required.

COUNT ELEVEN
(RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT)
18 U.S.C. § 1962(c)

Defendant Sprague's Sports

331. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were

1 dismissed. As such, no response to this claim is required.

2
3
4
5
6 **COUNT TWELVE**
7 **(RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT)**
8 **18 U.S.C. § 1962(c)**

9 **Defendant Ammo AZ**

10 332. SnG hereby repeats and incorporates by reference its response to each preceding and
11 succeeding Paragraph as though fully set forth herein.

12 333. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were
13 dismissed. As such, no response to this claim is required.

14 334. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were
15 dismissed. As such, no response to this claim is required.

16 335. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were
17 dismissed. As such, no response to this claim is required.

18 336. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were
19 dismissed. As such, no response to this claim is required.

20 337. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were
21 dismissed. As such, no response to this claim is required.

22
23 **COUNT THIRTEEN**
24 **(RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT)**
25 **18 U.S.C. § 1962(c)**

26 **Defendant The Hub**

27 338. SnG hereby repeats and incorporates by reference its response to each preceding and
28 succeeding Paragraph as though fully set forth herein.

339. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were dismissed. As such, no response to this claim is required.

341. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were dismissed. As such, no response to this claim is required.

342. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were dismissed. As such, no response to this claim is required.

343. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were dismissed. As such, no response to this claim is required.

XII. DEMAND FOR JUDGMENT

GENERAL DENIAL

AFFIRMATIVE DEFENSES

2. Plaintiff lacks Article III Standing to bring this suit.

3. Plaintiff's claims fail due to a lack of proximate causation.

4. Plaintiff's Complaint, and each and every cause of action contained therein, fails to state facts sufficient to state a claim.

5. Each of Plaintiff's causes of action in the Complaint are barred, in whole or in part, by the applicable statutes of limitations, thereby barring recovery of any damages, or a reduction thereto.

1 6. Plaintiff failed to add parties indispensable to this case, including, but not limited to, the
2 Unites States Government (including but not limited to the DOJ, ATF, ICE, DEA, FBI and DHS), the
3 alleged straw purchasers identified or unidentified in the Complaint, the alleged firearm traffickers
4 identified and unidentified in the Complaint, the people who allegedly committed crimes with firearms
5 sold by defendants, Mexican government, military, and law enforcement officials who supply illegal
6 firearms to cartels, the foreign sources of firearms for cartels in Mexico, including those located in
7 Central and South America, and the cartel members, associates, or agents thereof.

8 7. Any damages suffered by Plaintiff were proximately caused, in whole or in part, by the
9 failure of Plaintiff to exercise reasonable care in curtailing and/or remedying the ongoing violence
10 inflicted by the cartels on its own people, and therefore, Plaintiff's recovery, if any, must be diminished
11 by the proportion of the negligence, acquiescence, and/or inaction of Plaintiff, which proximately caused
12 or contributed to Plaintiff's alleged damages.

13 8. Any damages suffered by Plaintiff were proximately caused, in whole or in part, by the
14 negligence or other actionable conduct of persons or entities other than SnG. Therefore, should SnG be
15 found liable to Plaintiff as a result of the incidents alleged in the Complaint, the amount of Plaintiff's
16 recovery, if any, should be no greater than an amount which is equal to SnG's proportionate share, if
17 any, of the combined negligence or other actionable conduct of those persons or entities whose
18 negligence or actionable conduct proximately caused Plaintiff's alleged damages.

19 9. Plaintiff has failed to mitigate its damages, if any, suffered as a result of the incidents set
20 forth in the Complaint.

21 10. Plaintiff's claims for damages are barred by the economic loss rule.

22 11. Any damages suffered by Plaintiff were a direct and proximate result of superseding and
23 intervening cause(s) based on the numerous criminal actions committed subsequent to any sale of
24 firearms by SnG and before the alleged harm to Plaintiff.

25 12. Plaintiff is estopped from claiming the damages alleged against SnG in the Complaint
26 because of Plaintiff's negligence, improper conduct, acquiescence and/or inaction in creating, failing to
27 curtail or remedy the ongoing violence inflicted by the cartels on its own people, including the doctrine
28 of unclean hands.

1 13. Plaintiff's claims for punitive and/or exemplary damages are precluded by operation of
2 Ariz. Rev. Stat. § 12-689.

3 14. Plaintiff is not entitled to a damage award violative of SnG's due process and equal
4 protection rights and other rights set forth in the United States Constitution or rights under the Arizona
5 Constitution. SnG expressly reserves any and all constitutional defenses, claims, and arguments against
6 the imposition of punitive damages against it or the amount of same or in any other manner relating to
7 punitive damages. Plaintiff's claim for punitive damages against SnG: violates the Sixth Amendment of
8 the United States Constitution because SnG is not informed of the nature and cause of the accusations
9 against it, and thus, the allegations are void for vagueness; violates SnG's rights to substantive and
10 procedural due process as provided in the Fifth and Fourteenth Amendments of the United States
11 Constitution; violates the due process clause of Fourteenth Amendment to the United States
12 Constitution; violates SnG's right to equal protection as provided in the Fourteenth Amendment to the
13 United States Constitution; violates SnG's right to contract, as provided in Article I, Section 10 of the
14 United States Constitution; exposes SnG to double jeopardy in violation of the Fifth Amendment of the
15 United States Constitution; constitutes an impermissible burden on international and interstate
16 commerce in violation of Article I, Section 8 of the United States Constitution; violates the separation of
17 powers doctrine embodied in Article VI of the United States Constitution; and constitutes the imposition
18 of an excessive fine in violation of SnG's rights provided in the Eighth Amendment of the United States
19 Constitution. Plaintiff's claim for punitive or exemplary damages is further barred by Article 2, Section
20 4, of the Arizona Constitution.

21 15. SnG invokes the provisions of Title 12, Chapter 16 of the Arizona Revised Statutes, the
22 Uniform Contribution Among Tortfeasors Act, including the right to contribution, pro rata shares,
23 release, comparative negligence, the lack of joint and several liability, and apportionment of fault.

24 16. Plaintiff's claims against SnG are barred or should be reduced by the comparative fault of
25 others, including, but not limited to, Plaintiff, pursuant to Ariz. Rev. Stat. § 12-2506.

26 17. SnG did not owe Plaintiff a legal duty to protect Plaintiff or its citizens from the
27 particular risk of harm that caused, or was the substantial factor in causing, the incidents alleged in the
28 Complaint.

1 18. Plaintiff lacks prudential standing based on its quasi-sovereign interest in the health and
2 well-being of its residents because *parens patriae* standing should not be recognized in a foreign nation
3 unless there is a clear indication of intent to grant such standing expressed by the Supreme Court or by
4 the two coordinate branches of government.

5 19. All or a portion of Plaintiff's claims are barred due to the law of the case doctrine.

6 20. Upon information and belief, Plaintiff, including its officials, agents, employees, and
7 representatives, or others over whom they had control, spoliated evidence that was subject to discovery
8 in this lawsuit and would be admissible evidence at trial, thereby depriving this Court and SnG of such
9 evidence, and therefore, Plaintiff's suit should be barred or an adverse inference given to the jury in
10 favor of SnG.

11 21. The Court lacks subject matter jurisdiction over this case.

12 22. There was no special relationship between SnG and Plaintiff and/or the third-party actors
13 at fault, so SnG did not owe Plaintiff a duty as a matter of law.

14 23. Plaintiff's claims are in violation of the First Amendment of the United States
15 Constitution, which guarantees SnG's right to commercial free speech.

16 24. Plaintiff's claims are in violation of the Second Amendment of the United States
17 Constitution, which guarantees the right to bear arms, and the citizenry's right to access such arms from
18 Defendant.

19 25. Plaintiff's claims are barred by the provisions of the Commerce Clause of the
20 Constitution of the United States, Article I, Section 8.

21 26. Plaintiff's negligent entrustment claim fails because this cause of action is inapplicable in
22 the context of the sales of chattel alleged in the Complaint.

23 27. Plaintiff's claims for relief before the Court violate the United States and Arizona State
24 constitutional separation of powers in that Plaintiff seeks to have the judicial branch create legislative
25 policy.

26 28. Plaintiff's claims are too remote and derivative to permit recovery as a matter of law.

27 29. Plaintiff's Complaint, which aggregates unidentified shootings by unidentified persons in
28 unidentified circumstances over an unspecified period of time, is barred by the Seventh Amendment of

the Constitution of the United States.

30. Plaintiff's claims are barred by the doctrine of laches.

31. SnG reserves the right to amend its answer to raise additional affirmative defenses that may be disclosed during discovery.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, SnG demands a trial by jury of all issues triable of right by a jury in this action.

WHEREFORE, SnG hereby requests the following relief:

1. That Plaintiff takes nothing by his Complaint;
2. That Plaintiff's Complaint be dismissed with prejudice on the merits;
3. That SnG recovers its costs, attorney's fees, and disbursements herein; and
4. Such other relief as the Court herein deems just and equitable.

Dated: April 8, 2024

RENZULLI LAW FIRM LLP

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SNG Tactical, LLC and
Sprague's Sports, Inc.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of April, 2024, I filed the foregoing using CM/ECF which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

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